

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at GREENEVILLE

RICHARD R. SCOTT, )  
                        )  
                        )  
*Plaintiff,*         )  
                        )  
v.                      )  
                        )  
MICHAEL J. ASTRUE, )  
Commissioner of Social Security, )  
                        )  
*Defendant.*         )

Case No. 2:08-cv-98  
Judge Mattice

**ORDER**

United States Magistrate Judge William B. Carter filed his report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). [Court Doc. 18.] Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Carter's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, Plaintiff's Motion for Summary Judgment [Court Doc. 11] is **DENIED**. Defendant's Motion for Summary Judgment [Court Doc. 18] is **GRANTED**. The Commissioner's denial of benefits is **AFFIRMED** and the instant action is **DISMISSED WITH PREJUDICE**. The Clerk shall close the case.

SO ORDERED this 9<sup>th</sup> day of July, 2009.

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/s/*Harry S. Mattice, Jr.*  
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HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE